

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Mark Wallace, Presiding  
Courtroom 6C Calendar**

**Monday, May 10, 2021**

**Hearing Room**

**6C**

9:00 AM

**8:18-14679 Virginia Ann Von Schaefer**

**Chapter 13**

**#1.00**

Motion for relief from stay [Real Property]

CIVIC HOLDINGS V-C Trust vs DEBTOR  
(Motion filed 4-14-21)

**[RE: 30394 Via Estoril, Laguna Niguel, CA 92677]**

**[Tele. appr., Jay K. Chien., repr., Chapter 13 Trustee]**

**[Tele. appr., Reily D. Wilkinson., repr., Civic holdings V-C Trust, Creditor]**

Docket 61

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**TELEPHONIC APPEARANCES REQUIRED.**

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the subject property in accordance with applicable law, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

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**CONT... Virginia Ann Von Schaefer**

**Chapter 13**

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Virginia Ann Von Schaefer

Represented By  
Omero Banuelos

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se

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**8:20-11588 Veronica Kilada**

**Chapter 13**

**#2.00**

CONT'D Motion for relief from stay [Action In Non-Bankruptcy Forum]

Fady Kilada vs DEBTOR  
(Motion filed 10-29-20)

**[RE: Case Name: Kilada v Kilada]**

**[Docket Number: 19STFL00877]**

**[Pending In: Los Angeles Superior Court - Stanley Mosk]**

FR: 11-30-20; 1-25-21; 2-22-21; 4-12-21

**[Tele. appr., Arash Shirdel., repr., Kilada, Defendant]**

Docket 55

**Tentative Ruling:**

In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.

**TELEPHONIC APPEARANCES REQUIRED.**

The Court will deny the Motion as moot in view of global settlement.

<b>Party Information</b>
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**CONT... Veronica Kilada**

**Chapter 13**

**Debtor(s):**

Veronica Kilada

Represented By  
Onyinye N Anyama

**Trustee(s):**

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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**Monday, May 10, 2021**

**Hearing Room**

**6C**

9:00 AM

**8:20-11795 Byron York Priestley**

**Chapter 7**

**#3.00**

Motion for relief from stay [Real Property]

Creditor 20 CAP FUND I, LLC vs DEBTOR  
(Motion filed 4-5-21)

**[RE: 22442 Rippling Brook, Lake Forest, CA 92630]**

**[Tele. appr., Michael W. Stoltzman Jr., repr., FCI Lender Services Inc and  
20 Cap Fund I, Creditor]**

Docket 116

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**TELEPHONIC APPEARANCES REQUIRED.**

Movant has failed to make a sufficient showing that the bankruptcy estate lacks equity in the subject property or that Movant is not adequately protected.

The Court will deny the Motion without prejudice and grant Debtor's request for judicial notice. No renewed motion for relief from stay shall be filed prior to September 15, 2021.

**DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.**

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Central District of California  
Santa Ana  
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**CONT...**

**Byron York Priestley**

**Chapter 7**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Byron York Priestley

Represented By  
Anerio V Altman

**Trustee(s):**

Richard A Marshack (TR)

Represented By  
Misty A Perry Isaacson

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9:00 AM

**8:21-10043 Dale Allen Funkhouser and Liduvina Villaluz Funkhouser**

**Chapter 7**

**#4.00**

Motion for relief from stay [Personal Property]

Bank of America, N.A. vs DEBTOR  
(Motion filed 4-6-21)

**[RE: N 2019 Airstream 19 Interstat - VIN No.: WDAFE7CD8JP638608]**

Docket 16

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**APPEARANCES NOT REQUIRED.**

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

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9:00 AM

**CONT...**

**Dale Allen Funkhouser and Liduvina Villaluz Funkhouser**

**Chapter 7**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Dale Allen Funkhouser

Represented By  
Christopher J Langley

**Joint Debtor(s):**

Liduvina Villaluz Funkhouser

Represented By  
Christopher J Langley

**Trustee(s):**

Jeffrey I Golden (TR)

Pro Se



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9:00 AM

**8:21-10792 Jeffery Scott Stapleton**

**Chapter 7**

**#5.00**

Motion for relief from stay [Personal Property]

Fifth Third Bank, N.A. vs DEBTOR  
(Motion filed 4-15-21)

**[RE: 2011 Dodge Challenger - VIN No.: 2B3CJ4DG2BH570025]**

Docket 9

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**APPEARANCES NOT REQUIRED.**

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

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9:00 AM

**CONT... Jeffery Scott Stapleton**

**Chapter 7**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jeffery Scott Stapleton

Represented By  
D Justin Harelik

**Trustee(s):**

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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9:00 AM

**8:20-13335 Heartwise, Inc.**

**Chapter 11**

**#6.00**

Motion for relief from stay [Action In Non-Bankruptcy Forum]

Vitamins Online, Inc. vs DEBTOR  
(Motion filed 4-9-21)

**[RE: Case Name: Vitamins Online, Inc. v. Heartwise, Inc. d/b/a NatureWise]  
[Docket Number: 2:13-CV-00982-DAK]  
[Pending In: U.S. District Court for the District of Utah]**

**[Tele. appr., Anthony R. Bisconti., repr., Robinson Pharma, Creditor]**

**[Tele. appr., Ronald A. Clifford., repr., Debtor]**

**[Tele. appr., Kathleen P. March., repr., Vitamins Online, Creditor]**

Docket 163

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**TELEPHONIC APPEARANCES REQUIRED.**

There is a possibility the Parties may reach agreement in the amount of attorney's fees to be awarded under the District Court judgment - Debtor has not objected to Movant's proof of claim.

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**CONT...**

**Heartwise, Inc.**

**Chapter 11**

Debtor also seeks to confirm a 100% plan. If Movant is paid in full under the plan, this matter may never come into controversy.

Accordingly, the Motion is denied without prejudice. No renewed motion shall be filed prior to August 31, 2021.

DEBTOR TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Heartwise, Inc.

Represented By  
RONALD CLIFFORD

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**6C**

9:00 AM

**8:19-12715    Andrea Mythanh Le**

**Chapter 7**

**#7.00**

Motion for relief from stay [Real Property]

Wells Fargo Bank, N.A. vs DEBTOR  
(Motion filed 4-5-21)

**[RE: 13192 Rolling Hills Lane, Victorville, California 92395]**

**[Tele. appr., Josephine E. Salmon., repr., Wells Fargo Bank, N.A., Creditor]**

Docket        98

**\*\*\* VACATED \*\*\*    REASON: OFF CALENDAR - ORDER APPROVING  
STIPULATION TO CONTINUE HEARING TO JUNE 14, 2021 AT 9:00 AM  
ENTERED ON 4-19-21 (DOCKET NO. 104).**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Andrea Mythanh Le

Represented By  
Christopher J Langley

**Trustee(s):**

Karen S Naylor (TR)

Represented By  
Nathan F Smith  
Arturo M Cisneros

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**Monday, May 10, 2021**

**Hearing Room      6C**

2:00 PM

**8:19-14527    Anthony Afshin Kashani**

**Chapter 7**

**#1.00**

Hearing RE: Debtor's Omibus Objection to Claims filed by Jeffrey and Patti Lewis  
(Motion filed 3-15-21)  
(Set Per Notice and Opposition filed 4-9-21)

Claim No. 5    \$80,001.16

Claim No. 6    \$250,000.00

Claim No. 7    \$36,929.95

**[Tele. appr., Roye Zur, repr., Chapter 7 Trustee]**

Docket      70

**Tentative Ruling:**

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**TELEPHONIC APPEARANCES REQUIRED.**

Per the Lewises' concession, Claim No. 5 is reduced to \$76,139.65 and the balance of that amount is disallowed. The Amended Claim supersedes the original Claim No. 5 and is allowed in the amount of \$76,139.65.

The failure of the Lewises to record their ownership interest does not invalidate the

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**CONT...**      **Anthony Afshin Kashani**  
conveyance as against Debtor.

**Chapter 7**

As to Debtor's remaining arguments, the Court holds that Debtor has not made a sufficient showing so as to overcome the presumption of validity of the Lewises' proofs of claim. Debtor's arguments in the objection are unsupported by any admissible evidence because Debtor did not file a declaration under penalty of perjury.

THE LEWISES TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Anthony Afshin Kashani

Represented By  
Mirsaied Kashani

**Trustee(s):**

Jeffrey I Golden (TR)

Represented By  
Royce Zur

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2:00 PM

**8:20-10152 Craig M. Schmidt and Sukanya Schmidt**

**Chapter 7**

**#2.00**

Hearing RE: Trustee's Final Report And Applications For Compensation And Reimbursement Of Expenses  
(Final Report filed 3/26/2021)

**[RE: Karen Sue Naylor, Chapter 7 Trustee]  
[Fees: \$6,000.00; Expenses: \$477.40]**

**[RE: Malcolm Cisneros - Attorney for Trustee]  
[Fees: \$11,267.50; Expenses: \$60.06]**

**[RE: Hanh Fife & Company - Accountant For Trustee]  
[Fees: \$1,000.00; Expenses: \$0.00]**

**[Tele. appr., Karen S. Naylor, repr., Chapter 7 Trustee]**

Docket 56

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**APPEARANCES NOT REQUIRED.**

**In a case under chapter 7 or 11, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess**



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**CONT...**

**Craig M. Schmidt and Sukanya Schmidt**

**Chapter 7**

of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Trustee, with fees in the amount of \$6,000.00 and expenses in the amount of \$477.40.

The compensation is approved as to Trustee's attorney Malcolm Cisneros, with fees in the amount of \$11,267.50 and expenses in the amount of \$60.06.

The compensation is approved as to Trustee's accountant Hahn Fife & Co., with fees in the amount of \$1,000.00 and expenses in the amount of \$0.00.

**CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Craig M. Schmidt

Represented By  
Keith Q Nguyen

**Joint Debtor(s):**

Sukanya Schmidt

Represented By  
Keith Q Nguyen

**Trustee(s):**

Karen S Naylor (TR)

Represented By  
Nathan F Smith  
Arturo M Cisneros

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2:00 PM

**8:21-10619 Global Discovery Biosciences Corporation, a Delawa**

**Chapter 11**

**#3.00**

CONT'D Hearing RE: Motion for Order:

- (1) Dismissing Debtor's Bankruptcy Case for Lack of Jurisdiction;
- (2) Dismissing Debtor's Bankruptcy Case for Cause Pursuant to Bankruptcy Code § 1112(b);
- (3) Abstaining from Debtor's Bankruptcy Case Pursuant to Bankruptcy Code § 305; or Alternatively;
- (4) Exercising Mandatory or Permissive Abstention Under 28 USC § 1334(c) Over the Question of Whether Debtor's Case Was Properly Authorized to be Filed Under the Applicable Corporate Law;
- (5) Awarding Sanctions for Violation of Bankruptcy Rule 9011 (Motion filed 4-5-21)

FR: 4-26-21

**[Tele. appr., Marc C. Forsythe, repr., Khalid Bin Jabor Al Thani, Shareholder]**

**[Tele. appr., Jeffrey I. Golden, repr., Debtor]**

**[Tele. appr., Michael Hauser, repr., U.S. Trustee]**

**[Tele. appr., Sonja Hourany, repr., Debtor - Listen Only]**

**[Tele. appr., Charity J. Manee, repr., Khalid Bin Jabor Al Thani, Shareholder]**

Docket 24

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall.**

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**CONT... Global Discovery Biosciences Corporation, a Delawa**

**Chapter 11**

**If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**TELEPHONIC APPEARANCES REQUIRED.**

This case essentially is a battle between two groups of warring shareholders for control of the chapter 11 debtor Global Biosciences Corp., a Delaware corporation ("Debtor"). Actions are currently pending in the Delaware Chancery Court and Orange County Superior Court relating to such matters.

Khalid Bin Jabor Al Thani and Trivalley Trading & Contracting, WLL (the "Khalid Parties") have filed a Motion for Order for Dismissal, Abstention and Sanctions (the "Motion"). Debtor opposes such Motion.

Corporate governance matters are best left to state courts. The Court notes in this regard that the Debtor is a Delaware corporation and that the Delaware Chancery Court is a renowned court with very deep experience in corporate governance matters, especially those involving Delaware corporations such as Debtor.

Regarding the *Tucson* factors, the Court finds that state law issues predominate over bankruptcy issues, there are already related proceedings in State of California Superior Court and State of Delaware Chancery Court relating to the dispute between the warring shareholders, that there is a presence of non-debtor parties in such proceedings, that forum shopping is likely present here and that the remaining issues under *Tucson* are neutral with the possible exception of a right to a jury trial (chancery courts are typically courts of equity where no jury trial right exists, but the Court is uncertain on this point).

Therefore, the Court grants the Motion in part and will abstain (in favor of the

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**CONT... Global Discovery Biosciences Corporation, a Delawa**

**Chapter 11**

Delaware Chancery Court and the Orange County Superior Court) from hearing the disputes involved in those actions. The balance of the Motion is denied without prejudice.

At this stage, it would appear to be improper for this Court to take sides and place (or leave) one of the warring shareholder groups in control of Debtor. Therefore, the Court will set a hearing for June 9, 2021 at 2:00 p.m. and will order the parties to show cause why this Court should or should not direct the Office of the United States Trustee to appoint a chapter 11 trustee pursuant to 11 U.S.C. § 1104(a), such trustee to remain incumbent until such time as the state courts resolve issues concerning control of the Debtor. Any party wishing to make its voice heard regarding this matter may file a brief on or before May 21, 2021 and may file a reply to a brief filed by any other party on or before May 28, 2021.

All parties' requests for judicial notice are granted. The Court will rule on evidentiary objections at the hearing.

The Khalid Parties shall lodge an order covering the partial granting of the Motion and the Order to Show Cause referred to above.

<b>Party Information</b>
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**Debtor(s):**

Global Discovery Biosciences

Represented By  
Jeffrey I Golden  
Beth Gaschen  
Sonja Hourany

**Trustee(s):**

Mark M Sharf (TR)

Pro Se

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**6C**

2:00 PM

**8:21-10619 Global Discovery Biosciences Corporation, a Delawa**

**Chapter 11**

**#4.00**

Hearing RE: Motion to Strike and Evidentiary Objections to Declaration of Eric Landau in Support of Opposition to Motion for Order (1) Dismissing Debtors Bankruptcy Case for Lack of Jurisdiction; (2) Dismissing Debtors Bankruptcy Case for Cause Pursuant to Bankruptcy Code § 1112(b); (3) Abstaining from Debtors Bankruptcy Case Pursuant to Bankruptcy Code § 3055; or Alternatively. (4) Exercising Mandatory or Permissive Abstention Under 28 U.S.C. § 1334(c) over the Question of Whether Debtors Case was Properly Authorized to be Filed Under the Applicable Corporate Law And (5) Awarding Sanctions for Violation of Bankruptcy Rule 9011  
(Motion filed 4-19-21)

**[Tele. appr., Marc C. Forsythe, repr., Khalid Bin Jabor Al Thani, Shareholder]**

**[Tele. appr., Jeffrey I. Golden, repr., Debtor]**

**[Tele. appr., Michael Hauser, repr., U.S. Trustee]**

**[Tele. appr., Sonja Hourany, repr., Debtor - Listen Only]**

**[Tele. appr., Charity J. Manee, repr., Khalid Bin Jabor Al Thani, Shareholder]**

Docket 46

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are**

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**CONT... Global Discovery Biosciences Corporation, a Delawa Chapter 11**

**highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**TELEPHONIC APPEARANCES REQUIRED.**

The Court will grant in part, and deny in part.

ORDER IS REFLECTED ON THE RECORD.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Global Discovery Biosciences

Represented By  
Jeffrey I Golden  
Beth Gaschen  
Sonja Hourany

**Trustee(s):**

Mark M Sharf (TR)

Pro Se

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**8:21-10026 Ardeshir Farokhirad and Fariba Farokhirad**

**Chapter 7**

**#5.00**

Hearing RE: Chapter 7 Trustee's Motion to Extend the Time to File a Section 727 Complaint Pursuant to FRBP 4004(b)  
(Motion filed 4-16-21)

**[Tele. appr., Thomas H. Casey, repr., Chapter 7 Trustee]**

**[Tele. appr., Kerry Moynihan, repr., Thomas H. Casey, Trustee]**

Docket 89

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**TELEPHONIC APPEARANCES REQUIRED.**

The Court will grant and extend the deadline to an including October 15, 2021. The alternative to granting the Motion is to deny it, and such action would compel the Trustee to prematurely file a complaint while a matter is still under investigation. The avoidance of possibly unnecessary litigation constitutes good cause to extend the deadline.

**CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.**

<b>Party Information</b>
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**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Mark Wallace, Presiding  
Courtroom 6C Calendar**

**Monday, May 10, 2021**

**Hearing Room**

**6C**

2:00 PM

**CONT... Ardeshir Farokhirad and Fariba Farokhirad**

**Chapter 7**

**Debtor(s):**

Ardeshir Farokhirad

Represented By  
Anerio V Altman

**Joint Debtor(s):**

Fariba Farokhirad

Represented By  
Anerio V Altman

**Trustee(s):**

Thomas H Casey (TR)

Represented By  
Thomas H Casey



**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Mark Wallace, Presiding  
Courtroom 6C Calendar**

**Monday, May 10, 2021**

**Hearing Room**

**6C**

2:00 PM

**8:21-10026 Ardeshir Farokhirad and Fariba Farokhirad**

**Chapter 7**

**#6.00**

CONT'D Hearing RE: Debtor's Motion to Convert Case to Chapter 11 Under 11  
U.S.C. Section 706(a) or 1112(a)  
(Motion filed 2-17-21)  
(Opposition filed 2-22-21)  
(Set per Notice filed 2-26-21)

FR: 3-15-21; 4-26-21

Docket 21

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**APPEARANCES NOT REQUIRED.**

The Court determines that it will need an evidentiary hearing to resolve Debtor's motion to convert to chapter 11. At the present time, such hearings cannot be held due to the Courthouse's closure and the pandemic.

Pursuant to FRBP 9014, the Court opens discovery with respect to the Motion. Discovery closes July 31, 2021.

A status conference is set for August 30, 2021 at 2:00 p.m. The Court will not entertain any motion to sell any estate property through and including August 30, 2021.

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Mark Wallace, Presiding  
Courtroom 6C Calendar**

**Monday, May 10, 2021**

**Hearing Room**

**6C**

2:00 PM

**CONT... Ardeshir Farokhirad and Fariba Farokhirad**

**Chapter 7**

Any party who wishes to file an additional brief based upon the results of discovery may do so on or before August 6, 2021. A reply may be filed on or before August 13, 2021.

COURT TO PREPARE ORDER.

<b>Party Information</b>
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**Debtor(s):**

Ardeshir Farokhirad

Represented By  
Anerio V Altman

**Joint Debtor(s):**

Fariba Farokhirad

Represented By  
Anerio V Altman

**Trustee(s):**

Thomas H Casey (TR)

Represented By  
Thomas H Casey

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Mark Wallace, Presiding  
Courtroom 6C Calendar**

**Monday, May 10, 2021**

**Hearing Room**

**6C**

2:00 PM

**8:21-10026 Ardeshir Farokhirad and Fariba Farokhirad**

**Chapter 7**

**#7.00**

CONT'D Hearing RE: Application of the Chapter 7 Trustee to Employ Counsel  
(Law Office of Thomas H. Casey, Inc., a Professional Corporation) Effective  
February 21, 2021  
(Motion filed 2-25-21)  
(Set per notice filed 3-19-21)

FR: 4-26-21

Docket 30

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**TELEPHONIC APPEARANCES REQUIRED.**

The Court will grant the application. The Court is persuaded by the Trustee's arguments regarding the need for counsel and the application of the Butler factors.

**CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.**

<b>Party Information</b>
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**Debtor(s):**

Ardeshir Farokhirad

Represented By  
Anerio V Altman

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Mark Wallace, Presiding  
Courtroom 6C Calendar**

**Monday, May 10, 2021**

**Hearing Room**

**6C**

2:00 PM

**CONT... Ardeshir Farokhirad and Fariba Farokhirad**

**Chapter 7**

**Joint Debtor(s):**

Fariba Farokhirad

Represented By  
Anerio V Altman

**Trustee(s):**

Thomas H Casey (TR)

Represented By  
Thomas H Casey

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Mark Wallace, Presiding  
Courtroom 6C Calendar**

**Monday, May 10, 2021**

**Hearing Room**

**6C**

2:00 PM

**8:21-10026 Ardeshir Farokhirad and Fariba Farokhirad**

**Chapter 7**

**#8.00**

CONT'D Hearing RE: Chapter 7 Trustee's Motion for Order Authorizing Abandonment of the Estate's Interest in Litigation with the Irvine Company (Motion filed 4/2/21)

FR: 4-26-21

Docket 63

**Tentative Ruling:**

**In view of the Pandemic, in-person appearances at hearings are expressly prohibited at the time, and any person who is required to appear at a hearing or who desires to appear at a hearing must appear telephonically through CourtCall. If a tentative ruling states "Appearances not required", this does not mean that appearances are prohibited, but if a person desires to appear, such appearance must be telephonic and cannot be in person. Persons appearing telephonically are highly encouraged to use a landline for higher reception and clarity, and the use of speaker phones is prohibited.**

**TELEPHONIC APPEARANCES REQUIRED.**

The Court intends to grant the Motion.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Ardeshir Farokhirad

Represented By  
Anerio V Altman

**Joint Debtor(s):**

Fariba Farokhirad

Represented By

**United States Bankruptcy Court  
Central District of California  
Santa Ana  
Judge Mark Wallace, Presiding  
Courtroom 6C Calendar**

**Monday, May 10, 2021**

**Hearing Room**

**6C**

2:00 PM

**CONT...**

**Ardeshir Farokhirad and Fariba Farokhirad**

Anerio V Altman

**Chapter 7**

**Trustee(s):**

Thomas H Casey (TR)

Represented By  
Thomas H Casey